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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/900,964 07/25/97 CAPPELS

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CARR DEFILIPPO & FERRELL
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SUITE 200
PALO ALTO CA 94303

LM02/0722

EXAMINER

NGUYEN, J

ART UNIT	PAPER NUMBER
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2778

DATE MAILED:

07/22/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/900,964

Applicant(s)
Richard D. Cappels

Examiner
Jimmy H. Nguyen

Group Art Unit
2778



☒ Responsive to communication(s) filed on Jun 21, 1999

☐ This action is **FINAL**. ✓

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-25 is/are pending in the application.

Of the above, claim(s) 2-9, 12-18, and 22-25 is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1, 10, 11, and 19-21 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Detailed Action

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 10, 11, 19, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whitehead (USPN: 4,733,229) in view of Lee (USPN: 5,555,026) and further in view of Lagoni (USPN: 5,204,748).

In regard to claims 1, 11, 19, 20 and 21, Whitehead discloses that a system and an associate method for generating separate high-luminance viewing windows on a computer display device (figure 1), comprises a control device (a control unit includes 30, 32, 62, 68 and 70 as shown in figure 4), coupled to said computer display device for processing input signals and

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providing said processed input signals to said computer display device; a window generator (a highlight selector 38 comprises 52, 54, 56, 58 and 60 as shown in figure 4), coupled to said computer display device for generating windows information (highlight selected area information), and applying said windows information to said control device to generate said separate high-luminance viewing windows on said computer display device; and a processor (a highlight operator control 15 includes 16 and 18 as shown in figure 4) which provides windows control information signals to said windows generator regarding the selective position and size information of said high-luminance windows on display screen (fig. 4, column 4, lines 22-37), in response to a video application program (figure 6, column 7, lines 11-28). Whitehead further discloses that said computer display device comprises a computer monitor including a cathode ray tube 34 which receives said processed input signals (figure 4), and said control device comprises a video amplifier (30, 32, 68 and 70 as shown in figure 4) responsive to said windows information signal for increasing the luminance of the selected area on said high-luminance windows, said input signals are video signals provided by said processor device (figures 1 and 4, column 4, lines 19-52).

Whitehead does not disclose expressly that a limiter is involved for generating high-luminance windows on a a computer display device. However, Lee teaches an automatic beam limiter ABL (see summary) coupled to a CRT display device for processing said window information (control signal SEL in figure 2) to limit said input signals provided to said display device, a power supply (high voltage generator 30 in figure 2), wherein said ABL provides said

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analog windows signal (ABL control signal) to control a gain control of said video amplifier (column 4, lines 36-40). Lee also teaches said automatic beam limiter controlling a beam current applied to said cathode ray tube in said display device and samples said power supply to determine when to limit said input signals (column 4, lines 11-19). Although Lee does not disclose expressly all the functions of said ABL, Lagoni however teaches that at the time of the invention, it would have been obvious to a person of ordinary skill in the art to understand the functions of ABL which is also referred to in the art as beam current limiting (BCL), and the ABL arrangement generates a control signal for reducing the gain of the video signal processing channel to thereby reduce the peak-to-peak amplitude of the video signals coupled to the picture tube when the level of the beam current exceeds a predetermined threshold (column 1, lines 26-49).

Whitehead, Lee and Lagoni are analogous art because they are from the same field of endeavor, that is the display art. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Lee's ABL with the system of Whitehead.

The suggestion for doing so would have been to prolong the life span of the computer display. Therefore, it would have been obvious to combine Whitehead with Lee to obtain the invention as specified in claims 1, 11, 19, 20 and 21.

In regard to claim 10 as applied to claim 1 above, Whitehead Lagoni discloses a processor (a highlight operator control 15 includes 16 and 18 as shown in figure 4) wherein said control

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signals are generated by an application program for generating said high-luminance windows (figure 6). Therefore, this claim is rejected for the reason as set forth above.

Conclusion

3. Applicant's arguments with respect to claims 1, 10, 11 and 19-21 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant states that "The present application teaches a system and method for generating high luminance windows on a computer display device, not a television set." are not recited in the rejected claims above. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy H. Nguyen whose telephone number is (703) 306-5422. The examiner can normally be reached on Monday thru Thursday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala, can be reached on (703) 305-4938.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051 (for formal communications intended for entry)

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(703) 308-6606 (for informal or draft communications, please label

“Proposed” or “Draft”)

Hand delivered response should be brought to Crystal Park II, 2121 Crystal Drive,
Arlingto, VA., Sixth floor (Receptionist).

JHN

July 19, 1999

Lun-Yi Lao
Lun-Yi Lao
Primary Examiner